

**Memorandum of the Meeting
Regular Study Session/Meeting
Twenty-Sixth Town Council of Highland
Monday, August 17, 2009**

The regular session of the Twenty-Sixth Town Council of the Town of Highland was convened at the regular place, the Highland Municipal, 3333 Ridge Road, Highland, Indiana, in the plenary meeting chambers on **Monday, August 17, 2009** at the regular time of 7:05 o'clock p.m.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Brian Novak, Dan Vassar and Konnie Kuiper were present. The Clerk-Treasurer Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Also present: Kathleen Dowling, Deputy Clerk-Treasurer; Dan Stombaugh, and Mark Roorda of the Town Board of Metropolitan Police Commissioners and the Metropolitan Police Chief, Peter T. Hojnicky were present.

Cynthia Singleton Clerk-Treasurer Intern; was also present.

Robin Carlascio of the *Idea Factory*, producers of the Town News Letter.

Tom Brown of Brown Insurance Services was also present.

General Substance of Matters Discussed

1. The Town Council discussed the appropriate and valid use of public personal property and public resources and the existing practices' alignment with the current provisions set forth in the Compensation and Benefits Ordinance, continued from its study sessions of July 20, 2009 and August 3, 2009.

The Town Council discussed the ordinance and policy.

The Town Council President, Mr. Vassar, commented disapprovingly in regard to a recent column in the TIMES newspaper (Wednesday, August 12, 2009) written by Mark Kiesling, a TIMES columnist, which discussed the Council's consideration of the policy regarding personal property. He further expressed his disapproval that no one from the TIMES contacted him on this matter.

Councilor Herak expressed his disappointment that the article may have misrepresented the workforce with regard to the issue.

Councilor Kuiper expressed his belief that the Town Council was comprised of 5 people who were doing what they believe is right for the community. He also expressed his disfavor with the recent article.

Councilor Kuiper expressed his desire to prohibit taking home any public personal property for any personal use.

The Town Council then discussed the ordinance, drafted as requested, modifying the current policy by the following language:

§ 3.16 Use of Municipal Property and Facilities

Employees who operate vehicles owned by the Town will lock the vehicle when it is not occupied or otherwise secured in a facility that is locked down. The use of Town postage stamps or the postage meter for personal use is strictly prohibited. ~~You should not~~ **Except as otherwise provided in Sections §5.17 et seq., §5.24.03 and § 5.24.04, use of Town tools, material, facilities or equipment for personal use without written authorization of the Department Manager is prohibited.**

This prohibition does not prevent the use of facsimile or photo-copying machines provided the authorized fees for such uses are paid. Still further, this does not prohibit the use of personal properties that are otherwise made available to the public subject to a rental or user fee, provided the employee applies for the use as would any member of the public and pays the appropriate user fees. Further, this prohibition does not affect the reasonable use of telephones for personal use that does not adversely affect the performance of an employee's official duties or the functions of an employee's department.

If, for any reason, you leave our employment, you must return any property of the Town in your possession. These items should be returned not later than your last day of work.

The Town Council discussed the proposed ordinance as requested by the Town Council President. It was noted that the changes above would not affect the take home car policy for certain employees and for the police department (§5.17 et seq.) and incidental use of electronic communications resources (§5.24.03 and § 5.24.04). The Town Council discussed the concept of what some described as "perks." The discussion included what the enrolled draft meant and how it would affect the current policy. The discussion included an informal review of the policies of the Town of Griffith and the Town of Munster.

Councilor Kuiper renewed his desire to eliminate any equipment from going to any workers home.

During the discussion, the Councilor Herak suggested that the policy should consider the elimination of personal e-mail use. He stated this offering a consideration of the context of how the use of public property for public works employees may be whether or not it is permissible to take home a chain saw; he further suggested that this was not an issue for workers in offices such as the office of the clerk-treasurer. He further suggested, use of the e-mail may not be an issue for the public works employees.

With leave from the Council, a colloquy ensued between and among some members of the Town Council and Tom Porter, a worker in the Public Works Department. Regarding the policy. The colloquy included a discussion regarding the prudence of taking equipment home and using it perhaps for a neighbor. Mr. Porter expressed his belief that if a policy is adopted eliminating use of public personal property by employees, it would "make this job even less attractive than it already is."

It was suggested that the ordinance taking up the proposed amendment would be taken up at the Town Council meeting of Monday, August 24, 2009.

2. The Town Council discussed the policy regarding the Trash Fees. The Councilors discussed the provisions in the municipal code found in section 170.08 (F) of the code which allowed for a limited waiver of payment on dual residences with a single meter, but with one vacancy. The provision expired on July 1, 2008. It was noted that the Public Works Director still relies on the provision. The Council informally expressed a desire to maintain the provision without a sunset clause.
3. Tom Brown of Brown Insurance Group regarding the recent report that would require a possible budgetary increase of 18% to 24% for the FY 2010 budget. It was noted that department heads were instructed to prepare for a 22% increase. Mr. Brown discussed several certain measures to reduce the likely increases in the premiums. Among them he suggested increasing the premiums to all workers, increasing the premiums for spouses and

dependents where they have access to a health insurance plan. Further, there could be an adjustment to plan benefits; or structure a new dual choice option; or purchase a high deductible plan in concert with an HRA or medical expense reimbursement "gap" policy to fund the "corridor." The Town Council would need to offer policy guidance on this.

Mr. Brown indicated that based upon our history, it would be unlikely that there will be a plan that would come in without some increase in the premium, even shopping this around. Mr. Brown suggested that a health care audit that there may be a finding of in eligible dependents. Mr. Brown did not speculate as to the savings that would ensue.

There was a discussion about the varying utilization of the current group medical benefit. The discussion included whether or not the persons not using could be somehow discounted.

Mr. Brown discussed returning to the Town Council with a series of plans or options for the Town Council to consider. The Town Council also discussed a contact made to the School Town and inquiring about working together on a group plan for all our employees.

4. The Town Council discussed the recent fire and explosion at the Meadows and being notified about the incident last Saturday. It was noted that the Town Councilors were notified regularly as a matter of practice. The Town Council liaison, Mr. Kuiper, indicated that he would follow-up with the department heads.
5. The Town Council discussed setting the one -on -one meetings for the Budget FY 2010. It was noted that the meetings needed to be set with the full council. Also setting a time for budget overview should be also fixed.

There being no further business to come before the Town Council, the regular study session of the Town Council, of **Monday, August 17, 2009**, was adjourned 8:30 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer